

ALLEGED SHIPMENT: On or about June 2 and 22, 1949, from the State of New York into the States of Massachusetts and New Jersey.

LABEL, IN PART: "Gothestrone Macro-crystalline Aqueous Suspension of Natural Estrogenic Hormones."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since it was represented to be suitable and appropriate for intramuscular use, which use requires a sterile product, whereas the article was not suitable and appropriate for such use since it was not sterile but was contaminated with viable micro-organisms.

Misbranding, Section 502 (a), the labeling of the article contained statements which represented and suggested that the article would be suitable and appropriate for intramuscular use, which statements were false and misleading since the article was not suitable and appropriate for such use.

DISPOSITION: October 19, 1950. A plea of guilty having been entered on behalf of the corporation and a plea of nolo contendere on behalf of the individual, the court imposed a fine of \$1,000 against the corporation and a sentence of 1 year in the penitentiary against the individual. The sentence against the individual was suspended, and he was placed on probation for 1 year.

3292. Adulteration of dextro-amphetamine phosphate and dextro-amphetamine sulfate. U. S. v. 1 Drum, etc. (F. D. C. No. 29661. Sample Nos. 73632-K, 73633-K, 73635-K.)

LIBEL FILED: On or about July 27, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about April 21 and May 8 and 16, 1950, by Tru-Synthetics, Inc., from Long Island City, N. Y.

PRODUCT: 1 drum containing 13¼ pounds of *dextro-amphetamine phosphate* and 1 drum containing 12½ pounds, and 1 drum containing 15 pounds, of *dextro-amphetamine sulfate*.

LABEL, IN PART: "Batch No. 18 Control No. P62 Dextro-Amphetamine Phosphate" and "Batch No. 18 Control No. SD61 Dextro-Amphetamine Sulfate."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the articles differed from, and their quality fell below, that which they were represented to possess. The product labeled "Dextro-Amphetamine Phosphate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine phosphate and 30 percent of levo-amphetamine phosphate; and the product labeled "Dextro-Amphetamine Sulfate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine sulfate and 30 percent of levo-amphetamine sulfate.

DISPOSITION: October 17, 1950. Tru-Synthetics, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the products be released under bond for removal of all adulterated ingredients and for reprocessing, so that the products could be brought into compliance with the law.

3293. Adulteration of dl-amphetamine sulfate. U. S. v. 1 Drum * * * (F. D. C. No. 29406. Sample No. 42999-K.)

LIBEL FILED: July 27, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 28, 1950, by Tru-Synthetics, Inc., from Long Island City, N. Y.

PRODUCT: 1 drum containing 7½ pounds of *dl*-amphetamine sulfate at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from, and its quality fell below, that which it was represented to possess since the article contained approximately 35 percent of dextro-amphetamine sulfate and 65 percent of levo-amphetamine sulfate, whereas *dl*-amphetamine sulfate contains equal proportions of dextro- and levo-amphetamine sulfate.

DISPOSITION: November 8, 1950. Default decree of condemnation and destruction.

3294. Adulteration and misbranding of milk of magnesia tablets. U. S. v. 110 Cartons * * *. (F. D. C. Nos. 29859, 29860. Sample Nos. 77626-K, 78103-K, 78105-K.)

LIBELS FILED: November 1, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of October 13, 1949, and September 15, 1950, by the Rey Mfg. Co., from Evansville, Ind.

PRODUCT: *Milk of magnesia tablets.* 110 cartons, each containing 12 100-tablet bottles, and 24 cartons, each containing 24 250-tablet bottles, at St. Louis, Mo.

LABEL, IN PART: (Bottle) "American Lady Milk of Magnesia Tablets" or "TMC Milk of Magnesia Tablets."

NATURE OF CHARGE: Adulteration, Section 501 (d), aspirin tablets had been substituted in part for milk of magnesia tablets.

Misbranding (American Lady brand), Sections 502 (b) (1) and (2), the label of the article failed to bear the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

DISPOSITION: November 27, 1950. Default decrees of condemnation and destruction.

3295. Adulteration and misbranding of Bactra-Tycin ointment. U. S. v. 41 Jars * * *. (F. D. C. No. 29553. Sample No. 82238-K.)

LIBEL FILED: On or about September 1, 1950, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about August 2, 1950, by Wallace Laboratories, Inc., from New Brunswick, N. J.

PRODUCT: 41 jars of *bactra-tycin ointment* at Huntington, W. Va.

LABEL, IN PART: "55 Grams Bactra-Tycin Ointment * * * Each Gram Contains 1,000 MMG. Tyrothricin (Gramicidin Fraction Not Less Than 200 MMG.)."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 1,000 milli-milligrams, (micrograms) of tyrothricin per gram.

Misbranding, Section 502 (a), the label statement "Each Gram Contains 1,000 MMG. Tyrothricin" was false and misleading as applied to an article which contained less than that amount of tyrothricin.

DISPOSITION: October 24, 1950. Default decree of condemnation and destruction.